

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

HANS A. QUAAK, ATTILIO PO
and KARL LEIBINGER, on behalf of
themselves and those similarly situated,

Plaintiffs,

No.: 03-CV-11566 (PBS)

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

STONINGTON PARTNERS, INC., a Delaware
Corporation, STONINGTON CAPITAL
APPRECIATION 1994 FUND L.P., a Delaware
Partnership and STONINGTON HOLDINGS,
L.L.C., a Delaware limited liability company,

No.: 04-CV-10411 (PBS)

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

GARY B. FILLER and LAWRENCE PERLMAN,
Trustees of the TRA Rights Trust,

Plaintiffs,

v.

No.: 04-CV-10477 (PBS)

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

JANET BAKER and JAMES BAKER,
JKBAKER LLC and JMBAKER LLC,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

No.: 04-CV-10501 (PBS)

JOINT MOTION TO MODIFY SCHEDULING ORDER

Pursuant to Local Rule 16.1, the parties in the above-referenced action hereby jointly move this Court to modify the Scheduling Orders entered in *Quaak v. Dexia, S.A.*, No. 03-11566 on May 18, 2005; in *Baker v. Dexia, S.A.*, No. 04-10501 on April 27, 2005, and in *Stonington Partners, Inc. v. Dexia, S.A.*, No. 03-10411 and *Filler v. Dexia, S.A.*, No. 04-10477 on June 2, 2005. The current Scheduling Orders provide for the completion of merits discovery by February 28, 2005. During the October 20, 2005 hearing in these actions, the parties represented to the Court that additional time will be needed to complete merits discovery. Pursuant to the Court's instruction at the October 20 hearing, the parties met and conferred to determine the scope of the necessary extension of the discovery deadline, and to devise a proposed pre-trial schedule incorporating such an extension.

The parties are pleased to inform the Court that they have reached agreement as to a proposed modified pre-trial schedule that they believe provides sufficient time for the completion of discovery, while facilitating a trial of these actions beginning in January 2007, roughly two months later under than under the current schedule. Specifically, the parties agree to the schedule set forth below, which is reflected in the [Proposed] Second Scheduling Order that is being filed concurrently herewith.

1. On or before May 15, 2006, each party shall identify the experts on whom it intends to rely concerning any matter for which that party bears the burden of proof and shall produce each such expert's *curriculum vitae* and a short statement of the subject matter of the proposed expert testimony.
2. On or before May 29, 2006, each party shall identify the rebuttal experts on whom it intends to rely and shall produce each such expert's *curriculum vitae* and a short statement of the subject matter of the proposed expert testimony.
3. Merits discovery shall be completed by June 16, 2006.
4. Any motion for class certification shall be filed on or before June 30, 2006.
5. The parties shall serve expert reports concerning any matters for which they bear the burden of proof on or before July 11, 2006.
6. The parties shall serve rebuttal expert reports on or before August 15, 2006.
7. All expert depositions shall be completed on or before September 22, 2006.
8. Any motion for summary judgment shall be filed on or before October 13, 2006.
9. A final pre-trial conference shall be held on January 15, 2007, or as close to that date as the Court's calendar permits.

The parties respectfully request that the Court adopt the proposed modifications to the previously entered Scheduling Orders, and enter the parties' [Proposed] Second Scheduling Order. Should the Court have any questions regarding the requested discovery extension or the proposed pre-trial schedule, the parties will be prepared to address such questions during the December 23, 2005 hearing in these actions.

Dated: December 15, 2005

Respectfully submitted,

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